I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 377651743 US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 25, 2004

Signature.

Docket No.: FBT-001

(PATENT)

OCT 2 5 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Adam James Smith

Application No.: 10/735578

Filed: December 11, 2003

For: AUTOMATED SYSTEM FOR REMOTE

PRODUCT OR SERVICE SELECTION

Confirmation No.: 2559

Art Unit: 2153

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed March 25, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, a Supplemental Application Data Sheet, a Preliminary Amendment, and Part 2 Copy of Notice.

Application No.: 10/735578 Docket No.: FBT-001

Please charge our Deposit Account No. 12-0080 in the amount of \$1,105.00 covering the fees set forth in 37 CFR 1.16(e) and 1.17(a)(5). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. FBT-001. A duplicate copy of this paper is enclosed. Applicants request any extensions of time necessary to respond.

Dated: October 25, 2004

Respectfully submitted,

John D Lanza

Registration No.: 40,060

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

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Application Number	10/735578-Conf. #2559
Filing Date	December 11, 2003
First Named Inventor	Adam James SMITH
Art Unit	2153
Examiner Name	Not Yet Assigned
Attorney Docket Number	FBT-001

EN	ICLOSURES (Check all)	hat appl	(y)
X Fee Transmittal Form	Drawing(s)		After Allowance Communication to TC
Fee Attached	Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences
X Preliminary Amendment/Reply	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final	Petition to Convert to a Provisional Application		Proprietary Information
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence A		Status Letter
X Extension of Time Request	Terminal Disclaimer		X Other Enclosure(s) (please Identify below):
Express Abandonment Request	Request for Refund		Combined Declaration and Power of Attorney (4 pages)
Information Disclosure Statement	CD, Number of CD(s)		Application Data Sheet (2 pages) Certificate of Express Mailing (1
Certified Copy of Priority Document(s)	Landscape Table on	CD	page) Part 2 Copy of Notice (2 pages)
X Reply to Missing Parts/ Remarks			
Reply to Missing Parts under 37 CFR 1.52 or 1.53			
	,		
	URE OF APPLICANT, ATTOR	NEY, OR	AGENT
Firm Name	ELD. LLP		
Signature	Kan		
Printed name John D. Lanza			
Date October 25, 2004		Reg. No.	40,060

I hereby certify that this corresponde in an envelope addressed to: MS M					
shown below.		plu D	1		
Dated: October 25, 2004	Signature		(John	D. Lanza)	

PTO/SB/17 (10-04v2)
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	for	FY	200)5	

Effective 10/01/2004. Patent fees are subject to annual revision.

X Applicant claims small entity status. See 37 CFR 1.27

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TOTA	L AMOUNT OF PAYMENT	(\$)	1 105 0

Complete if Known		
Application Number	10/735578-Conf. #2559	
Filing Date	December 11, 2003	
First Named Inventor	Adam James SMITH	
Examiner Name	Not Yet Assigned	
Art Unit	2153	
Attorney Docket No.	FBT-001	

METHOD OF PAYMENT (check all that apply)				FEE	CALCULATION (continued)	
Check Credit Money Other None	3. A	DDITIO	ONAL	FEES		
Card Order Other						
X Deposit Account:	Large	Entity	Small	Entity		
Deposit Account 12-0080	Fee	Fee	Fee	Fee	- Fee Description	
Number	Code	(\$)	Code	(\$)	ree Description	Fee Paid
Deposit Lahive & Cockfield, LLP	1051	130	2051	65	Surcharge - late filing fee or oath	65.00
Name The Director is authorized to: (check all that apply)	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.	
X Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-English specification	
X Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge fee(s) indicated below, except for the filing fee	Į.				Requesting publication of SIR prior to	
to the above-identified deposit account.	1804	920*	1804	920*	Examiner action	
	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	
1. BASIC FILING FEE	1252	430	2252	215	Extension for reply within second month	
Large Entity Small Entity	1253	980	2253	490	Extension for reply within third month	
Fee Fee Fee Fee Fee Pescription Fee Paid Code (\$) Code (\$)	1254	1,530	2254	765	Extension for reply within fourth month	
1001 790 2001 395 Utility filing fee	1255	2,080	2255	1,040	Extension for reply within fifth month	1,040.00
1002 350 2002 175 Design filing fee	1401	340	2401	170	Notice of Appeal	
1003 550 2003 275 Plant filing fee	1402	340	2402	170	Filing a brief in support of an appeal	
1004 790 2004 395 Reissue filing fee	1403	300	2403	150	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$) 0.00	1452	110	2452	55	Petition to revive – unavoidable	
(1) (φ) 0.00	1453	1,370	2453	685	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,370	2501	685	Utility issue fee (or reissue)	
Extra Fee from Claims below Fee Paid	1502	490	2502	245	Design issue fee	
Total Claims -** = x =	1503	660	2503	330	Plant issue fee	
Independent = x = x	1460	130	1460	130	Petitions to the Commissioner	
Multiple Dependent	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	
Fee Fee Fee Code (\$) Code (\$) Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 88 2201 44 Independent claims in excess of 3	1810	790	2810	395	For each additional invention to be	
1203 300 2203 150 Multiple dependent claim, if not paid 1204 88 2204 44 ** Reissue independent claims	1801	790	2801	395	examined (37CFR 1.129(b))	
over original patent					Request for Continued Examination (RCE) Request for expedited examination	
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900	of a design application	
and over original patent	Other	fee (spe	cify)			LJ
SUBTOTAL (2) (\$) 0.00	*Redu	iced by I	Basic Fi	ling Fee	Paid SUBTOTAL (3) (\$)	1,105.00
**or number previously paid, if greater; For Reissues, see above						

SUBMITTED BY	(Combiere	(if applicable))
Name (Print/Type) John D Lanza Registration No. (Attorney/Agent) 40,060	Telephone	(617) 227-7400
Signature	Date	October 25, 2004

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Dated: October 25, 2004

Signature:

(John D. Lanza)

10-27-20

Page 1 of

NITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/735,578

12/11/2003

Adam James Smith

FBT-001

00959 LAHIVE & COCKFIELD, LLP. 28 STATE STREET **BOSTON, MA 02109**

CONFIRMATION NO. 2559 FORMALITIES LETTER *OC000000012192073*

Date Mailed: 03/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/28/2004 RMEBRAHT 00000091 120080

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

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65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

• An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

• \$65 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450 Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Application No. (if known): 10/735578

Attorney Docket No.: FBT-001

Certificate of Express Mailing Under 37 CFR 1.10

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MS Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on	October 25, 2004
	Date

John D. Lanza

Typed or printed name of person signing Certificate

40,060 (617) 227-7400

Registration Number, if applicable Telephone Number

r togicilation r tambon, ii applicable

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Fee Transmittal (1 page: in duplicate)

Five Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page: in

duplicate)

Response to Notice to File Missing Parts of Application (2 pages: in duplicate)

Combined Declaration and Power of Attorney (4 pages)

Application Data Sheet

Preliminary Amendment (3 pages) Part 2 Copy of Notice (2 pages)

Charge \$1,105.00 to deposit account 12-0080

Return Receipt Postcard